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Liquidating Trust*

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Liquidating Trust*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:) Case No. 08-35653-KRH
CIRCUIT CITY STORES, INC.¹, et al.,)
Debtors.) Chapter 11
) (Jointly Administered)
)

**ORDER SUSTAINING LIQUIDATING TRUST'S TENTH OMNIBUS OBJECTION TO
DISALLOW CERTAIN CLAIMS (SHORT-TERM INCENTIVE PROGRAM)**

THIS MATTER having come before the Court on the *Liquidating Trust's Tenth
Omnibus Objection to Disallow Certain Claims (Short-Term Incentive Program)* (the
“Objection”),² which requested, among other things, that the claims identified in the Objection
be disallowed for those reasons set forth in the Objection; and it appearing that due and proper
notice and service of the Objection as set forth therein was good and sufficient and that no other
further notice or service of the Objection need be given; and it further appearing that no response
was timely filed or properly served by the STIP Claimants being affected by this Order; and it

¹ The Debtors in these cases include: Circuit City Stores, Inc., Circuit City Stores West Coast, Inc., InterTAN, Inc., Ventoux International, Inc., Circuit City Purchasing Company, LLC, CC Aviation, LLC, CC Distribution Company of Virginia, Inc., Circuit City Properties, LLC, Kinzer Technology, LLC, Abbott Advertising Agency, Inc., Patapsco Designs, Inc., Sky Venture Corp, Prahs, Inc., XSStuff, LLC, Mayland MN, LLC, Courchevel, LLC, Orbyx Electronics, LLC, and Circuit City Stores PR, LLC.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Objection.

appearing that the relief requested on the Objection is in the best interest of the Liquidating Trust, the Debtors' estates and creditors and other parties-in-interest; and after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein,

IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

1. The Objection is SUSTAINED, as set forth herein.
2. The Conditioned STIP Claims identified on **Exhibit A** as attached hereto and incorporated herein are forever disallowed in their entirety for all purposes in these bankruptcy cases.
3. The Insufficient STIP Claims identified on **Exhibit B** as attached hereto and incorporated herein are forever disallowed in their entirety for all purposes in these bankruptcy cases.
4. The Liquidating Trust's rights to object to any claim including (without limitation) the STIP Claims subject to the Objection, on any grounds that applicable law permits, are not waived and are expressly reserved.
5. The Liquidating Trust shall serve a copy of this Order on the STIP Claimants included on the exhibits to this Order on or before five (5) business days from the entry of this Order.
6. This Court shall retain jurisdiction to hear and determine all matters arising from or relating to this Order.

Dated: Richmond, Virginia
_____, 2011

HONORABLE KEVIN R. HUENNEKENS
UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

TAVENNER & BERAN, PLC

/s/ Paula S. Beran
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Liquidating Trust*

CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Lynn L. Tavenner
Lynn L. Tavenner

In re Circuit City Stores, Inc, et al.

Case No. 08-35653 (KRH)

EXHIBIT A TO ORDER GRANTING LIQUIDATING TRUST'S OMNIBUS OBJECTION NO. 10

Conditioned STIP Claims (Disallow in Entirety -- Not Employed on Pay-Out Date) *See p. 3, para. 3(a), p. 11, para. 30 of Objection.*

STIP Claims (Disallow in Entirety -- Not Employed on Pay-Out Date) See p. 3, para. 3(a), p. 11, para. 30 of Omnibus Objection.						
Date Filed	Claim Number	Claimant Name and Address	Additional Notice Address	Classification as Filed	Claim Amount as filed (Claim Disallowed)	Debtor
1/28/2009	6926	ASH, SCOTT D 10284 BRICKERTON DR MECHANICSVILLE, VA 23116		General Unsecured Priority	\$11,246.00 UNLIQUIDATED	Circuit City Stores, Inc.
1/29/2009	7870	DRISCOLL, VERONICA L 12730 MILL SHED DRIVE MIDLOTHIAN, VA 23112-7020		General Unsecured Priority	\$1,920.00 \$10,950.00	Circuit City Stores, Inc.
1/28/2009	7430	Olive, Joel 12 Big Meadows Ct Richmond, VA 23236		Priority	UNLIQUIDATED	Circuit City Stores, Inc.
1/22/2009	4771	REICH, EDWARD J 1500 BIRCH AVE HANOVER PARK, IL 60133		Priority	\$5,383.50	Circuit City Stores, Inc.
1/30/2009	8763	ROSS, ANGELA P 4413 WYTHER AVE RICHMOND, VA 23221		General Unsecured Priority	\$12,300.00 \$10,950.00	Circuit City Stores, Inc.

In re Circuit City Stores, Inc, et al.

Case No. 08-35653 (KRH)

EXHIBIT B TO ORDER GRANTING LIQUIDATING TRUST'S OMNIBUS OBJECTION NO. 10

Insufficient STIP Claims (Disallow in Entirety -- No Proof) See p. 3, para. 3(b), pp. 11-12 of Objection.

STIP Claims (Disallow in Entirety -- No Proof) See p. 3, para. 3(b), pp. 11-12 of Omnibus Objection.						
Date Filed	Claim Number	Claimant Name and Address	Additional Notice Address	Classification as Filed	Claim Amount as filed (Claim Disallowed)	Debtor
3/31/2010	14922	Chi T Thornton 9104 Brookwood Glen Dr Glen Allen, VA 23060		Admin Priority	\$2,047.25	Circuit City Stores, Inc.
1/30/2009	9298	Kara Su 307 S Rudolph St Richmond, VA 23220		Priority	\$4,500.00	Circuit City Stores, Inc.